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Security Council

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Resolution 1408 (2002)

Adopted by the Security Council at its 4526th meeting, on 6 May 2002

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998, 1306 (2000) of 5 July 2000, 1343 (2001) of 7 March 2001, 1385 (2001) of 19 December 2001, 1395 (2002) of 27 February 2002, 1400 (2002) of 28 March 2002 and its other resolutions and statements of its President on the situation in the region,

Taking note of the Secretary-General's report of 29 April 2002 (S/2002/494*),

Taking note of the reports of the United Nations Panel of Experts on Liberia dated 26 October 2001 (S/2001/1015) and 19 April 2002 (S/2002/470) submitted pursuant to paragraph 19 of resolution 1343 (2001) and paragraph 4 of resolution 1395 (2002) respectively,

Expressing serious concern at the findings of the Panel of Experts about the actions of the Government of Liberia, including the evidence that the Government of Liberia continues to breach the measures imposed by resolution 1343 (2001), particularly through the acquisition of arms,

Welcoming General Assembly resolution 56/263 of 13 March 2002, looking forward to the full implementation of the international certification scheme proposed by the Kimberley Process as soon as possible and recalling its concern at the role played by the illicit trade in diamonds in the conflict in the region,

Welcoming the meeting of the Presidents of the Mano River Union in Rabat on 27 February 2002 at the invitation of His Majesty the King of Morocco, and the continued efforts of the Economic Community of West African States (ECOWAS) to work towards the restoration of peace and stability in the region,

Welcoming the conference sponsored by ECOWAS on political dialogue in Liberia held in Abuja on 14 March 2002, in particular the involvement of civil society, and encouraging the participation of all Liberian parties in the proposed Liberian National Reconciliation Conference to be held in Monrovia in July 2002, as a means of promoting the conditions for free, fair, transparent and inclusive elections in 2003,

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Encouraging civil society initiatives in the region, including those of the Mano River Union Women's Peace Network, to continue their contribution towards regional peace,

Calling on the Government of Liberia to cooperate fully with the Special Court for Sierra Leone when it is established,

Recalling the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 (S/1998/1194, annex), and its extension from 5 July 2001 (S/2001/700),

Determining that the active support provided by the Government of Liberia to armed rebel groups in the region, in particular to former Revolutionary United Front (RUF) combatants who continue to destabilize the region, constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the Government of Liberia has not complied fully with the demands in paragraph 2 (a) to (d) of resolution 1343 (2001);

2. *Notes with satisfaction* the updated information provided by the Government of Liberia to the Panel of Experts concerning the registration and ownership of each aircraft registered in Liberia (S/2001/1015) and the steps taken by the Government of Liberia to update its register of aircraft pursuant to Annex VII to the Chicago Convention on International Civil Aviation of 1944 in compliance with the demand in paragraph 2 (e) of resolution 1343 (2001);

3. *Stresses* that the demands referred to in paragraph 1 above are intended to lead to consolidation of the peace process in Sierra Leone and to further progress in the peace process in the Mano River Union, and, in that regard, calls upon the President of Liberia to continue to participate in the meetings of the Presidents of the Mano River Union and to implement fully his commitments to building regional peace and security, as set out in the communiqué of the Mano River Union summit of 27 February 2002;

4. *Demands* that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any actions that might contribute to further destabilization of the situation on the borders between Guinea, Liberia and Sierra Leone;

5. *Decides* that the measures imposed by paragraphs 5 to 7 of resolution 1343 (2001) shall remain in force for a further period of 12 months from 00:01 Eastern Daylight Time on 7 May 2002, and that, at the end of this period, the Council will decide whether the Government of Liberia has complied with the demands referred to in paragraph 1 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

6. *Decides* that the measures referred to in paragraph 5 above shall be terminated immediately if the Council, taking into account, inter alia, the reports of the Panel of Experts referred to in paragraph 16 below and of the Secretary-General referred to in paragraph 11 below, inputs from ECOWAS, any relevant information

provided by the Committee established pursuant to paragraph 14 of resolution 1343 (2001) ("the Committee") and the Committee established pursuant to resolution 1132 (1997) and any other relevant information, determines that the Government of Liberia has complied with the demands referred to in paragraph 1 above;

7. *Reiterates* its call upon the Government of Liberia to establish an effective Certificate of Origin regime for Liberian rough diamonds that is transparent and internationally verifiable, bearing in mind the plans for the international certification scheme under the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

8. *Notwithstanding* paragraph 15 of resolution 1343 (2001), decides that rough diamonds controlled by the Government of Liberia through the Certificate of Origin regime shall be exempt from the measures imposed by paragraph 6 of resolution 1343 (2001) when the Committee has reported to the Council, taking into account expert advice obtained through the Secretary-General, that an effective and internationally verifiable regime is ready to become fully operational;

9. *Calls* again upon States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Liberia and other diamond exporting countries in West Africa with their Certificate of Origin regimes;

10. *Calls upon* the Government of Liberia to take urgent steps, including through the establishment of transparent and internationally verifiable audit regimes, to ensure that revenue derived by the Government of Liberia from the Liberia Shipping Registry and the Liberian timber industry is used for legitimate social, humanitarian and development purposes, and is not used in violation of this resolution, and to report back to the Committee on the steps taken and results of such audits not later than three months after the date of adoption of this resolution;

11. *Requests* the Secretary-General to submit a report to the Council by 21 October 2002 and thereafter at six-monthly intervals from that date, drawing on information from all relevant sources, including the United Nations Office in Liberia, the United Nations Mission in Sierra Leone (UNAMSIL) and ECOWAS, on whether Liberia has complied with the demands referred to in paragraph 1 above, and calls on the Government of Liberia to support United Nations efforts to verify all information on compliance which is brought to the United Nations notice;

12. *Invites* ECOWAS to report regularly to the Committee on all activities undertaken by its members pursuant to paragraph 5 above and in the implementation of this resolution;

13. *Requests* the Committee to carry out the tasks set out in this resolution and to continue with its mandate as set out in paragraph 14 (a) to (h) of resolution 1343 (2001);

14. *Further requests* the Committee to consider and take appropriate action on information brought to its attention concerning any alleged violations of the measures imposed by paragraph 8 of resolution 788 (1992) while that resolution was in force;

15. *Requests* all States who have not reported pursuant to paragraph 18 of resolution 1343 (2001) to report to the Committee within 90 days on the steps they have taken to implement the measures referred to in paragraph 5 above;

16. *Requests* the Secretary-General to establish, within three months from the date of adoption of this resolution, in consultation with the Committee, for a period of three months, a Panel of Experts consisting of no more than five members, drawing, as much as possible and as appropriate, on the expertise of the members of the Panel of Experts established pursuant to resolution 1343 (2001), to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the Government of Liberia's compliance with the demands referred to in paragraph 1 above, on the potential economic, humanitarian and social impact on the Liberian population of the measures referred to in paragraph 5 above, and on any violations of the measures referred to in paragraph 5 above, including any involving rebel movements, and to report to the Council through the Committee no later than 7 October 2002 with observations and recommendations, and further requests the Secretary-General to provide the necessary resources;

17. *Requests* the Panel of Experts referred to in paragraph 16 above, as far as possible, to bring any relevant information collected in the course of its investigations conducted in accordance with its mandate to the attention of the States concerned for prompt and thorough investigation and, where appropriate, corrective action, and to allow them the right of reply;

18. *Calls upon* all States to take appropriate measures to ensure that individuals and companies in their jurisdiction, in particular those referred to in the reports of the Panel of Experts established pursuant to resolutions 1343 (2001) and 1395 (2002), act in conformity with United Nations embargoes, in particular those established by resolutions 1171 (1998), 1306 (2000) and 1343 (2001), and, as appropriate, to take the necessary judicial and administrative action to end any illegal activities by those individuals and companies;

19. *Requests* all States, in particular arms exporting countries, to exercise the highest degree of responsibility in small arms and light weapons transactions to prevent illegal diversion and re-export, so as to stem the leakage of legal weapons to illegal markets in the region, in line with the statement of its President of 31 August 2001 (S/PRST/2001/21) and the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

20. *Decides* to conduct reviews of the measures referred to in paragraph 5 above before 7 November 2002, and every six months thereafter;

21. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and Panel of Experts referred to in paragraph 16 above, including by supplying information on possible violations of the measures referred to in paragraph 5 above;

22. *Decides* to remain actively seized of the matter.